

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA	:	Hon. Stanley R. Chesler
	:	
	:	Crim. No. 09-501(SRC)
v.	:	
	:	
ROBINSON BORDAMONTE, et al.	:	<u>ORDER</u>
	:	
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This Court having reviewed the pretrial motions filed by defendant Peter Ventricelli (Michael Pedicini, Esq., appearing), the response of the government thereto, and the cross-application of the government for reciprocal discovery, and the Court having held oral argument on these motions on September 9, 2009, in the presence of Ralph J. Marra, Jr. Acting United States Attorney for the District of New Jersey (Leslie Faye Schwartz, Assistant U.S. Attorney, appearing), and defendants Robinson Bordamonte (Raymond F. Flood, Esq., appearing), Kelvin Corbin, (Christopher Renfroe, Esq., appearing), Leo Genese III (Pasquale F. Giannetta, Esq., appearing), Peter Ventricelli (Michael Pedicini, Esq., appearing) and Debora Medeiros DaSilva (Joseph R. Donahue, Esq., appearing), and the Court having considered the arguments of counsel and the motion papers, and for all the reasons expressed by the Court at the September 9, 2009 hearing,

IT IS ORDERED THAT:

1) Inasmuch as the government recognizes its obligations under Brady v. Maryland to produce exculpatory materials, defendant Peter Ventricelli's motion for Brady material is denied as moot;


2) Defendants are not entitled to production of Jencks material until after a witness has testified at trial, therefore, defendant Peter Ventricelli's motion for early production of Jencks material is denied;.

3) Defendant Peter Ventricelli's motion for early disclosure of Giglio material, i.e., materials tending to affect the credibility of a witness, is granted to the extent that the government is directed to provide Giglio material to the defendants five days before the witness' trial testimony;

4) The government has indicated that it has instructed the law enforcement agents in this case to preserve interview notes and handwritten draft reports, if any, therefore defendant Peter Ventricelli's motion compelling law enforcement agents to preserve these materials is denied as moot;

5) Defendant Peter Ventricelli's motion for disclosure of Rule 404(b) evidence prior to trial is granted to the extent that the government is directed to provide the defendants with notice of the general nature of any Rule 404(b) evidence ten days prior to trial; and

6) The motion of the government for reciprocal discovery from all defendants is granted.



HON. STANLEY R. CHESLER
United States District Judge

9/17/09